

**Notice of Allowability**

Application No.

10/604,040

Examiner

Thanh H Nguyen

Applicant(s)

YANG ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 24 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_

***Priority***

1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119(e) or 120 as follows:

The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional application); the disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

Therefore, the Cross Reference to related application will be deleted.

***Examiner's amendment/comment***

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

2. The application has been amended as follows:

In specification, page 1, deleted lines 4-6. (cross...2002)

***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

The primary reason for the indication of the allowability of claims 1-7 is the inclusion therein of the limitations of ejecting ink from the nozzles of the first, second, or

Art Unit: 2861

third sections of the second column during each pass of the printhead over a printing medium as necessitated by characteristics of the color image, wherein nozzles in the second column are divided into first, second, and third sections, nozzles of the first section being supplied with dark magenta ink, nozzles of the second section being supplied with dark cyan ink, and nozzles of the third section being supplied with yellow ink; advancing the printing medium in the first direction by a distance approximately equal to  $H$ ; and ejecting ink from the nozzles of a first and third columns during every third pass that the printhead makes over the printing medium as necessitated by the characteristics of the color image, wherein nozzles in the first column are supplied with light magenta ink and nozzles in the third column are supplied with light cyan ink, and wherein the first, second, and third columns each have a length approximately equal to  $3 \cdot H$ , where  $H$  represents a length of each of the first, second, and third sections of the second column. These limitations are neither suggested nor taught by the prior art of record, alone or in combination as claimed.

The primary reason for the indication of the allowability of claims 8-20 is the inclusion therein of the limitations of detecting a defective nozzle in the first or second section of the second column, wherein nozzles in the second column are divided into first, second, and third sections, nozzles of the first section being supplied with dark magenta ink, nozzles of the second section being supplied with dark cyan ink, and nozzles of the third section being supplied with yellow ink;

ejecting ink from the nozzles of the first, second, or third sections of the second column during each pass of the printhead over a printing medium as necessitated by

Art Unit: 2861

characteristics of the color image; compensating for the defective nozzle in the first or second section of the second column by ejecting ink two times from compensating nozzles in the first or third column, respectively, wherein nozzles in the first column are supplied with light magenta ink and wherein nozzles in the third column are supplied with light cyan ink, wherein the first, second, and third columns each have a length approximately equal to  $3 \cdot H$ , where  $H$  represents a length of each of the first, second, and third sections of the second column; and advancing the printing medium in the first direction by a distance approximately equal to  $H$ . These limitations are neither suggested nor taught by the prior art of record, alone or in combination as claimed.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Contact Information**

4. Any inquiry concerning this communication should be directed to examiner Thinh Nguyen at telephone number (571) 272-2257. The examiner can generally be reached Mon-Friday from 9:00A – 5:00P. The official fax phone number for the organization is (703) 872-9306.

The examiner supervisor, Stephen Meier, can also be reached at (571) 272-2149.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1782.

  
Thinh Nguyen  
April 2, 2004

**Thinh Nguyen**  
**Primary Examiner**  
**Technology Center 2800**